

RESOLUTION NO. 75230

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AMENDING THE AUTHORITY DELEGATED TO THE DIRECTOR OF PUBLIC WORKS UNDER RESOLUTION NOS. 72943 AND 73532 (STREAMLINING THE AWARD OF PUBLIC WORKS CONSTRUCTION CONTRACTS) TO INCORPORATE THE CONTINGENCY AMOUNTS SPECIFIED IN CITY COUNCIL POLICY 1-18

WHEREAS, on October 25, 2005, the City Council of the City of San José ("City") adopted Resolution No. 72943 ("Resolution"), implementing a pilot program delegating authority to the Director of Public Works to award and execute public works construction contracts of up to \$1,000,000, subject to certain conditions and limitations set forth in the Resolution; and

WHEREAS, on December 5, 2006, the City Council adopted Resolution No. 73532, which extended the authority granted under Resolution No. 72943 until such time as an ordinance making the program permanent was adopted by the City Council and became effective; and

WHEREAS, the authority granted in Resolution Nos. 72943 and 73532 allows the Director of Public Works to establish specific construction contingencies for various types of construction projects, as specifically set forth in Resolution No. 72943; and

WHEREAS, on December 15, 2009, the City Council approved a modification to the construction contingency amount for trail projects, which contingency amount is set forth in City Council Policy 1-18; and

WHEREAS, the City desires to amend the authority granted to the Director of Public Works under Resolution Nos. 72943 and 73532 to allow the Director to establish

contingency amounts consistent with those specified in City Council Policy 1-18, as may be amended from time to time;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The authority granted under Section 3 of Exhibit A of Resolution No. 72943, as extended by Resolution No. 73532, is amended to read as follows:

"For any construction contract that the Director is authorized to award under Item No. 1 above, the Director also shall have the authority to establish the construction contingency up to the maximum amounts set forth in City Council Policy No. 1-18, "Operating Budget and Capital Improvement Program Policy," as same may be amended from time to time."

ADOPTED this 15th day of December, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:


LEE PRICE, MMC
City Clerk